

TCC:jp 041217

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

ZAFAR HASAN,

Plaintiff,

v.

FOLEY & LARDNER, LLP,

Defendant.

No. 04 C 5690

Judge Zagel

Magistrate Judge Ashman

MOTION IN LIMINE NO. 6- CAIR

Plaintiff, Zafar Hasan, by and through his attorney, Thomas C. Crooks, as and for his Motion in Limine No. 6 states as follows:

1. Shortly after his termination, for a period of time, plaintiff was represented by attorneys in an organization named CAIR (Counsel on American-Islamic Relations).

2. Defendant has listed as its exhibit no. 11, a settlement demand letter dated April 7, 2003, from attorney Hassan Mirza of CAIR and as its exhibit no. 18, a letter to the EEOC discussing plaintiff's case. Exhibit 11 proposes a settlement, including both a financial component and certain remediation activity by Foley to prevent future discrimination, and is clearly inadmissible under F.R.E 408.

3. Defendant questioned plaintiff at his deposition on the theory that defendant had falsely told the E.E.O.C., on its intake questionnaire (Foley's proposed exhibit no. 13), that he was not represented by counsel at the time.

4. The fact of the organization CAIR having represented plaintiff for a brief period of time, as well as any question about if there was an intentional withholding of this information from the E.E.O.C, are irrelevant to any issue in this case and should be barred.

Wherefore, plaintiff prays that defendant be barred from presenting any evidence or argument on the issue of CAIR's representation of plaintiff or plaintiff's statement to the E.E.O.C. concerning the status of the representation, including barring defendant's proposed exhibits 11, 13 and 18.

Respectfully submitted,

/s/ Thomas C. Crooks

Thomas C. Crooks

Thomas C. Crooks
Three First National Plaza
Suite 1950
Chicago, IL 60602-4298
Office (312) 641-2260
Facsimile (312) 641-5220